

Winchester Hall 12 East Church Street Frederick. MD 21701

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Have a better idea for a catchy name for this newsletter? Call the coordinator at 301-696-2958 or email at::

jdavis@fredco-md.net

# Frederick County Register Newsletter

HPC Newsletter Volume 1, Issue 1

Fall 2005

## WELCOME TO THE NEIGHBORHOOD!

The "neighborhood" of historic preservation is more than a geographic place; it's a concept and a philosophy, a community of people with common goals, a body of information, and a shared vision of what our built and natural environment means in the context of our lives. The central fact that we agree on is that the places and sites that mean something important to us all are in need of care and tending,

and yes, protection from other forces of society that are part of our lives as well. This newsletter is meant to improve the communication of those ideals, visions, theories, and the ways that we are taking action to achieve the preservation or conservation of our heritage properties, landscapes, and sites.

Smith's Store

## **ALREADY A COUNTY REGISTER PROPERTY OWNER?**

This newsletter is most particularly focused on you and your property. have taken the first step into our "neighborhood" by nominating and listing your heritage property in the Register or taking possession of a site already You deserve our greatest thanks and also our most focused attention to help you through any processes that are required and to make you aware of the advantages and options that you can use as a County Register owner.

In this and future issues, you'll find helpful items about the Frederick County

Historic Preservation Commission's procedures, the guidelines for doing work on your property, and the tax credit programs that are available to you, the Maryland Heritage Preservation Tax Credit and the Frederick County Property Tax Credit. We'll provide advance news about workshops and conferences that you can attend to learn about specific work on your building such as repair of wood windows, dealing with moisture problems, etc. As new products in the building and rehabilitation industry come on the market, there



are increasing questions about their suitability for historic structures. delve into whether such products are consistent with our Design Guidelines and provide links to websites and other sources of facts. We can pass along reports and experience by other historic preservation commissions and the property owners who have used the new products. Nothing is better than learning from the experience of others! We will try to include photos of good and not-so-good rehab efforts to illustrate our Guidelines, although they will be from other jurisdictions. not your property!



Newton Schaeffer House

(Charles Huseman House)

"Local historic preservation ordinances are recognized throughout the entire country as being the best way available to protect America's historic resources."



Howard Marvin Jones House

# **Greetings from the Chairman**

Greetings from the Chairman and all of the members of the Frederick County Historic Preservation Commission. This newsletter is something that we have been looking forward to for a long time. We know what we need to do a better job of getting important information out to those of you that own historic resources in our county. One good example of this is the information on the changes to the Maryland Rehabilitation Tax Credit Program contained in this issue. This is a great program that more people need to know about, and use. It is also a benefit available from being listed in our County Register of Historic Places.

Local historic preservation ordinances are recognized throughout the entire country

as being the best way available to protect America's historic resources. There are three ordinances with commissions in Frederick County. They are: Frederick City, Frederick County and New Market. There are 47 commissions in Maryland, including 14 county commissions. Those commissions are: Baltimore County, Calvert County, Carroll County, Cecil County, Charles County, Frederick County, Harford County, Howard County, Montgomery County, Prince George's County, St. Mary's Talbot County, Washington County, County, and Wicomico County. Nationwide, there are over 3,500 local historic preservation commissions, so welcome to the neighborhood!

Bernie Callan, Chairman

### NEW RULES FOR MARYLAND HOMEOWNER TAX CREDIT APPLICATIONS

Tax credit applications for projects completed without prior Maryland Historical Trust (MHT) review and approval not accepted.

Since the Heritage Rehabilitation Tax Credit Program for owner-occupied residential properties was initiated in 1997, first-time applicants were granted an opportunity to learn about and utilize the new program. The MHT recognized that the program would lead to a significant increase in properties eligible for the tax credit program as structures and historic districts have been added to the National Register or to locally designated districts. Therefore, the MHT has accepted applications for homeowner rehabilitation projects where the work was completed prior to the submission of a Part 2 Application (request for approval of rehabilitation plans). Part 2 Applications submitted for projects already completed were considered eligible for tax credits if they contained the required documentation and described rehabilitation

work that met the Secretary of the Interior's Standards for Rehabilitation. The MHT believes that the eight-year period has been sufficient for most potential users to become familiar with the tax credit program.

The law governing the State tax credit program defines "qualified rehabilitation expenditures", in part, as "any amount that is expended in compliance with a plan of proposed rehabilitation that has been approved by the [MHT] Director." This provision of the law means that rehabilitation expenditures that do not receive the Director's approval prior to completion of the rehabilitation are ineligible for tax credits under the program.

After July 1, 2005, applications for plan approval or for tax credit certification for rehabilitation of owner-occupied residential projects that have been sub

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NFW RULES—Continued

stantially completed prior to review and approval by the Director will be returned to the applicant without review.

Revised State tax credit regulations disqualify costs for projects that are considered to be primarily remodeling.

Amendments to the Heritage Structure Rehabilitation Tax Credit Program (HSRTCP) regulations adopted by the MHT in February 2005, among other things, clarify the definition of the term "rehabilitation".

The expanded definition is as follows:

- (a) "Rehabilitation" means the process of returning a structure to a state of utility, through repair or alteration, which makes possible an efficient use while preserving those portions and features of the structure and its site and environment which make the structure and its site and environment historically, architecturally, or culturally significant.
- (b) "Rehabilitation" does not include an alteration that is primarily remodeling.

For example, projects that the MHT considers to be primarily remodeling are the replacement of non-historic bathrooms or kitchens. In these cases, existing bathrooms and kitchen are in good repair and utility, and are replaced for purely aesthetic or personal reasons (e.g., upgrading or substituting functional systems). As noted above, the overall purpose of the HSRTCP is to "return a structure to a state of utility." Many bathroom and kitchen replacement projects include no other work that would be considered rehabilitation. The MHT believes that remodeling of a functional space merely continues the utility of the space and does not "return" the structure to a state of utility. The work therefore does not qualify as rehabilitation work.

After July 1, 2005, projects described in a proposed plan of rehabilitation (Part 2 Application) and determined by the MHT to be primarily remodeling will not qualify for the tax credit program. Projects that include appropriate reconstruction of severely deteriorated or inoperable spaces, including kitchens and bathrooms, will continue to be considered rehabilitation work and eligible for tax credits.

Reprinted from *Maryland's Historic Districts*, the newsletter of the Maryland Association of Historic District Commissions, Vol. 2, No. 2, June 2005



Elisha Beall House (Boxwood Lodge)

"Revised
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# IS MY PROPERTY ELIGIBLE FOR THE COUNTY REGISTER?

Call or email to Commission staff at 301-696-2958 or jdavis@fredco-md.net. We'll see how much previously existing information is in our files and whether there is enough evaluative data to tell you whether you have a property that can be successfully listed. Listing in the County Register is by owner consent only; the County does not designate a property without a formal nomination process initiated by the owner(s) or by another party with the owner(s) written consent. Go to the County website (http:// www.co.frederick.md.us/planning/ historic\_preservation.htm) to download the Nomination Form and the Instructions for Completing the Nomination Form. you're checking out the County website for the nomination form, take a look at the Historic Preservation Ordinance, the Interim Design Guidelines, and the Certificate of Appropriateness Form. You will need to understand all these documents if you proceed with nomination of your property. We can also provide information about the possibility of having a professional consultant prepare the Nomination Form for you; it's usually very reasonable in price, depending on the size and complexity of the site. There is also an extensive list of consultants on the Maryland Historical Trust website. The Commission and Staff recommend prospective nominators to consider using a consultant. We can discuss with you other information relevant to nomination when you contact us.

Please contact Staff before beginning to prepare the Nomination Form and attachments, whether with a consultant or on your own.



Linganore Farm



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WE'RE ON THE WEB! Www.co.frederick.md.us/ planning/historic preservation

Frederick County Historic Preservation Commission (Fall 2005)

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Staff: Janet L. Davis, Historic Preservation Planner

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# JUST WANT TO KNOW MORE ABOUT HISTORIC PRESERVATION?

If you are reading this newsletter for interest or curiosity, not as a County Register owner, we hope to provide you with good information on a variety of things: how to enroll a property in the Frederick County Register and what the benefits and requirements are. We will present articles that highlight the difference between the National Register of Historic Places and the Frederick County Register. Informative websites will be listed in each issue and, where appropriate, in the articles. In short, you are only a step behind the County Register property owners in our purpose for this newsletter. We aim to become your best reference on historic preservation in Frederick County. That is not to cast aspersions on our colleagues in the City of Frederick, who have a newsletter geared to the Frederick Town Historic District. We, however, want to not only direct you to that esteemed historic district and its program when it's appropriate, but to provide you the information you need to understand what "the neighborhood" is all about.

So, welcome home neighbors!



### Frederick County Historic Preservation Commission Meeting Dates 2005

### **Meeting Dates**

September 7, 2005 (Televised on Cable Channel 19)

October 5, 2005

November 2, 2005

December 7, 2005 (Televised on Cable Channel 19)

### **Application Deadlines**

August 15, 2005

September 15, 2005

October 14, 2005

November 15, 2005

**Special Events** 

### **Web Sites of Interest**

Maryland Historical Trust: (State agency for historic preservation): www.marylandhistoricaltrust.net

Secretary of the Interior's Guidelines: www.cr.nps.gov/hps/tps/secstan1.htm

National Trust for Historic Preservation: www.nationaltrust.org